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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Application No.: 09/547,220

Group Art Unit: 1647

Filed: April 11, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE TISSUE
FUNCTION BY PERIPHERALLY
ADMINISTERED ERYTHROPOIETIN

Attorney Docket No.: 10165-006-999

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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

Pursuant to the Rules of Practice, please consider the remarks below. Applicants submit concurrently herewith: (1) a Petition to Extend Time (in duplicate) for a period of one month from February 22, 2002 up to and including March 22, 2002, accompanied by the appropriate fee; (2) a Supplemental Information Disclosure Statement, including revised PTO Form 1449 and legible copies of references CR-EF; and (3) Exhibit A: a copy of the pending claims.

REMARKS

In the Office Action mailed January 22, 2002, the Examiner has required election a single species, for prosecution on the merits, of the generic Claim 33 to which the claim shall be restricted if no generic claim is held to be allowable. In particular, the Examiner has